



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

11625
RECEIVED
MAR 28 2003
TECH. CENTER 1600/2900
#6
YC
4103

Applicants:	Frey et al.		
Serial No.:	09/982,483	Case No.:	20569
Filed:	October 18, 2001		
For:	PROCESS FOR THE SYNTHESIS OF AN ENDOTHELIN RECEPTOR ANTAGONIST		

Art Unit: 1625

Examiner: R. Covington

Assistant Commissioner of Patents
Washington, D.C. 20231

Response to February 24, 2003 Restriction Requirement

Sir:

This is in response to the February 24, 2003 office action, a response to which is due March 21, 2003.

Remarks

The Examiner stated that Claims 1-31, in part, are drawn to compounds wherein A is generic to a "plurality of disclosed patentably independent and distinct inventions." The Examiner required restriction under 35 USC 121, indicating that the inventions recited in the claims do not share a common core "and have different bonding and properties and thus different functions." The Examiner distinguished O-heterocyclic derivatives from polycyclic thiomorpholine derivatives, polycyclic morpholine derivatives, diazine derivatives, benzothiazine derivatives, isoquinoline derivatives, tropane derivatives, oxazole derivatives, and thiodiazole derivatives.

Applicants respectfully request reconsideration and withdrawal of the restriction requirement. While an Examiner may require restriction based on distinctness if 1) each distinct invention has a separate classification in the patent classification system, 2) each distinct invention has a separate status in the art, or 3) a different field of search is necessary for each distinct invention, applicants maintain that, in the claims of the subject application, variable A defines heterocyclyl and aryl ring systems that are